

### REMARKS

Claims 34 – 54 are pending. Claims 38 and 39 are canceled.

Rejection under 35 U.S.C. 112, first paragraph

Claims 38-39 are rejected under 35 U.S.C. 112, first paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The invention appears to employ specific strains. It is not clear if the written description is sufficiently repeatable to avoid the need for a deposit. Further it is unclear if the starting materials were readily available to the public at the time of invention.

In order to further prosecution, claims 38 and 39 are canceled.

Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call the undersigned agent at the number below.

Respectfully submitted,

/Linda E. Hall/

Linda E Hall  
Attorney for Applicant  
Registration No. 31,763

GLAXOSMITHKLINE  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
King of Prussia, PA 19406-0939  
Phone (610) 270-5016  
Facsimile (610) 270-5090  
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